

Amendments to the Drawings:

The attached Replacement Sheet for Fig. 1 includes changes to illustrate two audio frames with one overlapped per UDP packet.

Attachment: Replacement Sheet

REMARKS

This application has been reviewed in light of the Office Action dated September 28, 2005. Claims 1-12, 35 and 36 remain in this application. Claims 13-34 have been canceled, as recommended by the Examiner, to expedite the prosecution of this application in case this response places the application in condition for allowance. Claim 1 has been amended to define still more clearly what Applicants regard as their invention. Claims 35 and 36 have been added to provide Applicants with a more complete scope of protection; Claim 35 includes subject matter from amended Claim 1 and Claim 2, and Claim 36 includes subject matter from amended Claim 1 and originally-filed dependent Claims 4-6. Claims 1, 35 and 36 are in independent form. Favorable reconsideration is respectfully requested.

Applicants enclose a certified copy of the priority document as requested by the Examiner at page 2 of the Office Action.

The Office Action objected to the drawings under 37 C.F.R. § 1.83(a) as not showing every feature of the invention specified in the claims. Applicants have carefully reviewed the drawings and specification, and submit that page 6 of the specification, as originally filed, illustrates the overlapping of the audio frame in the UDP packet. Furthermore, Figure 1 has been amended to illustrate two audio frames with one overlapped per UDP packet. Applicants submit that the objection to the drawings has been remedied, and its withdrawal is therefore respectfully requested.

The Office Action objected to the specification for failing to providing proper content of an abstract of the disclosure. Applicants enclose a replacement abstract hereto in compliance with 37 C.F.R. § 1.72. Accordingly, Applicants respectfully request withdrawal of this objection.

The Office Action rejected independent Claim 1 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention, and stated that Claim 1 was in narrative form and did not include any positively recited steps. Applicants have reviewed claim 1 and with respect to the use of the term "*as defined herein*," have deleted this term from claim 1. In addition, Applicants have amended Claim 1 to positively recite the steps in

the process accordingly. Applicants submit that these issues have been obviated and therefore respectfully request their withdrawal.

The Office Action rejected Claims 1-5 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,438,105 (hereinafter “Qarni”) and rejected Claims 6-12 under 35 U.S.C. § 103(a) as being unpatentable over Qarni. Applicants respectfully traverse these rejections and submit, in particular, that independent Claim 1 is allowable over Qarni at least for the following reasons.

Qarni, as understood by Applicants, is directed towards FAX transmission and a facsimile protocol. Although Qarni discloses that ingress gateway server 18 “may be configured to accommodate facsimile data, voice, multimedia or other types of data,” the whole scheme in Qarni is based on transmission of FAX packets. In other words, the ingress gateway server 18 may not have as its sole purpose accommodating just facsimile data but may accommodate other types of data; however, the invention disclosed in Qarni is only suitable for FAX packets. The claims and description of Qarni only teach or suggest facsimile data. In contrast, the present invention as recited, for example, in Claim 1 is directed towards transmitting audio packets over a network that includes setting audio frames in UDP packets and overlapping the audio frames by at least one for each UDP packet.

Applicants respectfully submit that the Examiner is incorrect when he states that Qarni discloses a “system and method for audio transmission over a network” (see the Office Action, bottom of page 5). Figure 1 of Qarni shows a sending and receiving Fax machine. Applicants submit that there is no teaching or suggestion in Qarni of transmitting audio packets other than the mere disclosure that ingress gateway server 18 can also handle voice or multimedia data. This does not mean the invention as described in Qarni is capable of transmitting audio data.

Qarni does not teach or suggest “the audio frames are overlapped by at least one for each UDP packet,” as recited in claim 1. Moreover, Qarni does not teach or suggest “audio frames,” let alone overlapping audio frames by each UDP packet. Qarni merely suggests a new protocol whose purpose is “for transporting the data in a reliable and error-corrected fashion over the packet switched network between two gateways” and to provide “error control.” There is also no teaching or suggestion of the DUPL. protocol for “either forward error correction or redundant transmission of fax packets.” Clearly, this indicates that the prior art teaches away from the present invention as recited, for example, in amended

Claim 1, as additional protocols are required apart from purely UDP. Complexity and overhead is greater with the prior art protocols in order to address the problems they have identified. The present invention as recited, for example, in amended Claim 1, suffers from no such disadvantages.

Regarding the rejection of dependent Claims 4 and 5, Applicants submit for the record that Qarni does not teach or suggest a relationship between overlapping and packet loss.

Furthermore, in regard to the rejection of Claims 6-12, the Examiner's reasoning is respectfully believed to be incorrect. The Ingress Gateway 18 and Egress Gateway 26 as illustrated in Figure 1 of Qarni are converters between PSTN1 analog signal to packet-based digitized data. In Qarni, overlapping of the FAX packet is done within the Ingress Gateway 18 and the Egress Gateway 26. When the packet comes out from the Ingress Gateway (at line 18), it is already in an overlapped format. Therefore, Qarni implements the overlapping within the Gateway. The network diagram of Qarni is as follows:

Sender FAX <--> PEST Network <--> Ingress Gateway <--> IP Network <--> Egress Gateway <--> PEST Network <--> Receiver FAX

-between Sender FAX to PEST Network to Ingress Gateway: FAX analog signal
-between Ingress Gateway to IP Network to Egress Gateway: OVERLAPPED format FAX packet

-between Egress Gateway to PEST Network to Receiver FAX: FAX analog signal

In contrast, the converters of the present invention as recited, for example, in the claims are not a gateway. These converters are not for converting analog signal into digital data. Instead, they are for converting a non-overlap format into an overlap format. Advantageously, the present invention as recited in the claims is able to operate with any standard commercially available gateways. Therefore, for the purpose of comparison with Figure 1 of Qarni, the network diagram for the present invention is as follows:

Phone <--> PEST Network <--> Ingress Gateway <--> Incoming Converter <--> IP Network <--> Outgoing Converter <--> Egress Gateway <--> PEST Network <--> Phone.
-between Phone to PSTN network to Ingress Gateway: voice analog signal
-between Ingress Gateway to Incoming Converter: NON-OVERLAPPED format voice packet

-between Incoming Converter to Outgoing Converter: OVERLAPPED format voice packet

-between Egress Gateway to PSTN network to Phone: voice analog signal

At least for the reasons described above, Applicants submit that the present invention as recited in the claims is patentable over Qarni. Consequently, in view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and early passage to issue of the present application.

Applicants' undersigned attorney may be reached in our New York Office by telephone at the phone number listed below. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

Date: February 27, 2006

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